

AMENDED IN ASSEMBLY MARCH 24, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2465

Introduced by Assembly Member ~~Villaraigosa~~ Scott

February 20, 1998

An act to add ~~Section 1596.808 to the Health and Safety Code, relating to child care; sections 8279.2 and 8285.1 to the Education Code, relating to child care.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2465, as amended, ~~Villaraigosa—Scott~~. Child ~~day~~ care ~~licensing; schoolage programs; facilities.~~

Under existing law, the Child Care Services and Development Act, the Superintendent of Public Instruction is required to adopt rules and regulations for child care and development services, including providing guidelines for the selection of agencies that contract for child care services. Existing law requires the Superintendent of Public Instruction, to set priorities for expansion of child care and development services as funding is made available to ensure that all child care and development programs are adequately expanded according to the priorities set forth in the Child Care Commission Report of 1978.

This bill would require the Superintendent of Public Instruction to take steps necessary to increase the capacity of the child care system according to specified priorities, including, but not limited to, (1) encouraging contractors to develop and maintain child care spaces during nontraditional

times, (2) encouraging child care providers to expand the capacity for infant care, and (3) encouraging child care providers to expand capacity, particularly in geographic areas with high need and limited resources. The bill would require the superintendent to make a recommendation to the appropriate policy and fiscal committees of the Legislature relative to the desirability of modifying the child care provider contract and payment system to create financial incentives to encourage expansion as required by those priorities. The bill would require the State Department of Education to report to the appropriate policy and fiscal committees of the Legislature recommendations designed to ensure that direct service child care and development contracting agencies and child care alternative payment and certificate programs provide services of sufficient quality to enhance the development of the children served. The report shall include, but is not limited to, suggestions for implementation and a time frame.

The bill would declare the intent of the Legislature that any research activities undertaken by the Superintendent of Public Instruction pursuant to the provisions of the bill be funded by any unused portion of the appropriation made to the State Department of Education pursuant to a specified item of the Budget Act of 1998.

The bill would authorize the Superintendent of Public Instruction to provide outreach services and technical assistance to new child care providers and to those providing care during nontraditional times, in underserved localities, and for children with special child care needs.

The bill would require the Superintendent of Public Instruction to publish in advance the methodology and data used, including county-specific data if such data is used, for the allocation of all child care funds. The bill would also require the superintendent to make available to the public, within 90 days of an allocation, the accounting information for that allocation.

~~Existing law sets forth licensing requirements for child day care facilities, including those for schoolage children. Under existing law, certain licensure requirements relate to the~~

~~condition of the facility in which the child day care services are provided.~~

~~This bill would provide that the licensing review for a schoolage child care program shall not be required to include facilities review when the child care program is conducted in a room at a public school site, provided that the school site is also used during the day for the same children.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1596.808 is added to the Health~~
2 *SECTION 1. (a) The Superintendent of Public*
3 *Instruction shall take steps necessary to increase the*
4 *capacity of the child care system, including, but not*
5 *limited to the following:*
6 *(1) Encouraging contracting agencies to develop and*
7 *maintain child care spaces during nontraditional times,*
8 *including at night and on weekends.*
9 *(2) Encouraging contracting agencies to expand the*
10 *capacity for infant care.*
11 *(3) Encouraging contracting agencies to expand*
12 *capacity, particularly in geographic areas with high need*
13 *and limited resources.*
14 *(b) No later than January 1, 1999, the Superintendent*
15 *of Public Instruction shall make a recommendation to the*
16 *appropriate policy and fiscal committees of the*
17 *Legislature relative to the desirability of modifying the*
18 *child care provider contract and payment system to*
19 *create financial incentives to encourage expansion as*
20 *required by subdivision (a).*
21 *(c) No later than January 1, 1999, the State*
22 *Department of Education shall report to the appropriate*
23 *policy and fiscal committees of the Legislature*
24 *recommendations designed to ensure that direct service*
25 *child care and development contracting agencies and*
26 *child care alternative payment and certificate programs*
27 *provide services of sufficient quality to enhance the*
28 *development of the children served. The report shall*

1 include, but is not limited to, suggestions for
2 implementation and a time frame.

3 (d) It is the intent of the Legislature that any research
4 activities undertaken by the Superintendent of Public
5 Instruction pursuant to this section and Sections 2 and 3
6 of this act be funded by any unused portion of the
7 appropriation to the State Department of Education
8 pursuant to Item 6110-196-0001 of the Budget Act of 1998.

9 SEC. 2. Section 8279.2 is added to the Education
10 Code, to read:

11 8279.2. The Superintendent of Public Instruction
12 shall publish in advance the methodology and data used,
13 including county-specific data if such data is used, for the
14 allocation of all child care funds. The superintendent shall
15 make available to the public, within 90 days of an
16 allocation, the accounting information for the allocation.

17 SEC. 3. Section 8285.1 is added to the Education
18 Code, to read:

19 8285.1. The Superintendent of Public Instruction may
20 provide outreach services and technical assistance to new
21 child care contracting agencies and to those providing
22 child care during nontraditional times, in underserved
23 geographic areas, and for children with special child care
24 needs.

25 ~~and Safety Code, to read:~~

26 ~~1596.808. The licensing review for a schoolage child~~
27 ~~care program shall not be required to include facilities~~
28 ~~review when the child care program is conducted in a~~
29 ~~room at a public school site, provided that the school site~~
30 ~~is also used during the day for the same children.~~